

MEMBER SERVICES

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TOMORROW'S FORECAST

- * The House will reconvene for its 13th Legislative Day on Thursday, February 7, at 10:00 AM.
- * 4 bills are expected to be debated on the floor.



GEORGIA HOUSE OF REPRESENTATIVES

DAILY REPORT

Wednesday, February 06, 2008

12th Legislative Day

TODAY ON THE FLOOR

SUPPLEMENTAL RULES CALENDAR

HB 387 - Georgia Day; observe February 12; annually

- BILL SUMMARY: Amends Chapter 4 of Title 1 of the O.C.G.A. relating to holidays and observances by adding a new Code section (1-4-17) designating the twelfth day of February each year as "Georgia Day", the anniversary of the landing of the first colonists in Georgia.
- **Authored By:** Rep. Barry Loudermilk of the 14th
- **House Committee:** Special Rules
- **Rule:** Structured
- **Amendments(s):** N/A
- **Yeas:** 154; **Nays:** 0

RULES CALENDAR

HB 492 - Physicians; Composite State Board of Medical Examiners; provisions

- BILL SUMMARY: This bill would expand the Composite State Board of Medical Examiners (while renaming the body the Georgia Composite Medical Board) to include two laypersons not involved or connected in any way with the practice of medicine or the provision of health services. Additionally, the measure would add one additional physician member to the Board, bringing total Board members from 13 to 15. Additionally, as amended on the floor of the House, the measure would create a subcommittee of the Composite Medical Board composed of three nurses (appointed by the Board of Nursing) who hold advanced degrees and three physicians. This subcommittee will be required to review all past and future rules concerning the scope of practice for advanced practice nurses (43-34-26.3 (m)). The bill restricts the Composite Medical Board, allowing the CMB to adopt only such rules as have been previously approved by a majority vote of the new subcommittee. Additionally, if no consensus position is reached on an existing or proposed rule, it is declared null and void.
- **Authored By:** Rep. Mike Keown of the 173rd
- **House Committee:** Health & Human Services
- **Rule:** Open
- **Amendments(s):** N/A
- **Yeas:** 91; **Nays:** 73

LOCAL CALENDAR

HB 1033 - Edgehill, City of; provide new charter

- BILL SUMMARY: A Bill to provide a new charter for the City of Edgehill.
- **Authored By:** Rep. Sistie Hudson of the 124th
- **House Committee:** Intragovernmental Coordination - Local
- **Rule:** Open
- **Amendments(s):** N/A
- **Yeas:** 128; **Nays:** 0

HB 1089 - Cobb County Probate Court; judge and clerk; change compensation

- BILL SUMMARY: A Bill to provide compensation for the Judge and Clerk of the Probate Court of Cobb County.
- **Authored By:** Rep. Terry Johnson of the 37th
- **House Committee:** Intragovernmental Coordination - Local
- **Rule:** Open
- **Amendments(s):** N/A
- **Yeas:** 128; **Nays:** 0

** The House will reconvene Thursday, February 7, at 10:00 AM, for its 13th Legislative Day*

COMMITTEE ON RULES

The Committee on Rules has fixed the calendar for the 13th Legislative Day, Thursday, February 7, and bills may be called at the pleasure of the Speaker.

RULES CALENDAR FOR NEXT LEGISLATIVE DAY

HB 296 - Special elections; held on certain dates; provide

- BILL SUMMARY: This bill establishes the times a special election can be held to present a question to the voters. Those times are as follows:

(A) In odd-numbered years, any such special election shall only be held on:

(i) The Tuesday after the first Monday in November

(B) In even-numbered years, any such special election shall only be held on:

(i) The date of the general primary; or

(ii) The Tuesday after the first Monday in November.

It becomes effective January 1, 2010

- **Authored By:** Rep. Jeff May of the 111th
- **House Committee:** Governmental Affairs
- **House Committee Passed:** 1/30/2008
- **Rule:** Open

HB 333 - Weapons; crime or delinquent act; provisions

- BILL SUMMARY: The bill amends OCGA 17-5-52 to ensure that when weapons are confiscated in connection with the commission of a crime or delinquent act they are turned over to the chief of police or other executive officer of the law enforcement agency that originally confiscated the device. Current language requires that only the sheriff of the county dispose of the weapons, but in counties with sheriffs and chiefs of police it is often the chief of police who manages confiscated weapons. Because the language only refers to the sheriff the chiefs of police are unable to dispose of the weapons in their possession. They cannot transfer them to the sheriff for disposal because the sheriff is often not involved in the investigation. This is true in counties where the sheriff runs the county jail and the chief of police attends to all other judicial duties.

- **Authored By:** Rep. Wade Starr of the 78th
- **House Committee:** Judiciary Non-Civil
- **House Committee Passed:** 1/30/2008
- **Rule:** Structured

HB 921 - Mortgage lenders and brokers; nation-wide automated licensing system; create

- BILL SUMMARY: This bill adds a new Code Section 7-1-1003.5, relating to licensing of mortgage lenders and mortgage brokers. This legislation authorizes the Department of Banking and Finance to participate in a nation-wide residential mortgage licensing system for the purpose of facilitating the sharing of information and standardization of the licensing and application processes for mortgage brokers and mortgage lenders. It further grants the Department of Banking and Finance the powers necessary for its participation in this system. In addition, this bill makes provisions for privacy policies, disclosure of information, disbursement of fees and changes in the license renewal dates.

- **Authored By:** Rep. James Mills of the 25th
- **House Committee:** Banks & Banking
- **House Committee Passed:** 2/1/2008
- **Rule:** Open

HB 967 - Certificate of need program; prisons and other secure correctional institutions; exempt

- BILL SUMMARY: This bill amends Code Section 31-6-47 of the Official Code of Georgia Annotated, relating to exemptions from the certificate of need program. The exemptions would include prisoners and other secure correctional institutions of the Department of Corrections and the Department of Juvenile Justice from the certificate of need requirements.

- **Authored By:** Rep. Charles E. Martin of the 47th

- **House Committee:** State Institutions & Property

- **House Committee Passed:** 1/31/2008

- **Rule:** Structured

** The Rules Committee will next meet on Thursday, February 7, at 9:00 AM, to set the Rules Calendar for the 14th Legislative Day.*

COMMITTEE ACTION REPORT

Judiciary Non-Civil

HB 983 - Out-of-state law enforcement officers; arrest certain offenders; provide

- BILL SUMMARY: This bill creates a new Code section to provide for the arrest of certain offenders by out-of state law enforcement officers. If a law enforcement officer from Alabama, Tennessee, North Carolina, South Carolina or Florida is in fresh pursuit (a defined term in the bill) of a person who enters this state, he will have the same authority to arrest and hold that person in custody as if they were in the officer's state. When the out-of-state officer makes the arrest in Georgia he will then be required to go to a judicial officer in the local jurisdiction for a hearing. The law would only apply to crimes which are crimes under Georgia law and felonies in the pursuing state. The bill provides for a hearing before a judicial officer without unnecessary delay and for extradition of the arrestee to the state in which the criminal offense was committed. The law will only apply to those states which have similar pursuit and arrest provisions in their Code. Currently only Alabama is the only of the five border states that does not have a reciprocal agreement with Georgia.

- **Authored By:** Rep. Doug Collins of the 27th

- **Committee Action:** Do Pass

HB 997 - Witness Identification Accuracy Enhancement Act; enact

- BILL SUMMARY: Prior to July 1, 2008 the Georgia Peace Officer Standards and Training Council, the Georgia Public Safety Training Center, and the Prosecuting Attorney's Council will develop materials to provide comprehensive in-service training and procedures for conducting show-ups, photographic line-ups and physical line-ups. On and after January 1, 2009, law enforcement units that conduct line-ups will adopt written policies for this procedurs. The policies may be created by the units or they may adopt an existing model. Units that fail to adopt written policies will be subject to the withholding of state funding or state administered federal funding. On and after July 1, 2011, any line-ups will be administered by officers who have successfully completed their in-service training. Failure to follow the procedures will not preclude the use of pre-trial witness identification evidence.

- **Authored By:** Rep. Stephanie Benfield of the 85th

- **Committee Action:** Do Pass by Committee Substitute

HR 1071 - Law enforcement agencies; develop and implement written policies; urge

- BILL SUMMARY: Sets forth the standards for conducting physical and photographic line-ups including: encouraging use of a neutral blind administrator of line-ups and alternative methods when a photographic or physical line-up is not feasible; obtaining the witness' confidence level, and making a contemporaneous recording of the identification; and requirements for line-ups and instructions for witnesses .

- **Authored By:** Rep. Stephanie Benfield of the 85th

- **Committee Action:** Do Pass by Committee Substitute

Retirement

HB 157 - Retirement; full-time teacher; full-time employment and benefits; provide

- BILL SUMMARY: This bill allows members of the Teachers Retirement System who are retired on a normal service retirement for at least 12 months to continue receiving benefits if they return to work as a full time teacher, principal, or superintendent upon an invitation by a public school system. As a result such a retired teacher will not receive any further creditable service of such employment and will be considered by the retirement system solely as a beneficiary. A public school system employing such a retired

teacher will have to pay all employer and employee contributions to the retirement system.

- **Authored By:** Rep. Brooks Coleman of the 97th
- **Committee Action:** Do Pass by Committee Substitute

HB 209 - Employees' Retirement System; narcotics agents; purchase prior service

- **BILL SUMMARY:** This bill amends provisions relating to creditable service in the Employees' Retirement System. It extends the deadline for members to purchase creditable service for prior service as a narcotics agent under the Georgia Bureau of Investigation at the full actuarial cost to the member. The new deadline is set for December 31, 2008 or one year after becoming a member of ERS, whichever is later.

- **Authored By:** Rep. Carl Rogers of the 26th
- **Committee Action:** Do Pass by Committee Substitute

HB 344 - Circuit public defenders; certain retirement systems; membership; provisions

- **BILL SUMMARY:** This bill allows a person appointed to the position of circuit public defender to make an irrevocable election of membership in either the Employees' Retirement System or the Judicial Retirement System. This bill further requires the circuit public defender to make such membership election no later than December 31, 2008, or within 90 days after assuming office, whichever date is later. Persons electing membership in the JRS would be eligible to obtain creditable service for prior service with the ERS. If the circuit public defender was a member of the ERS before electing membership in the JRS, the board of trustees of the ERS would be required to transfer all employee and employer contributions paid by or on behalf of such member, with interest, to the JRS. The employee is authorized, but not required, to pay additional funds to cover the cost of creditable service not funded by the transfer of funds from ERS.

- **Authored By:** Rep. Robert Mumford of the 95th
- **Committee Action:** Do Pass

HB 656 - Teachers Retirement System; survivor's benefits; provisions

- **BILL SUMMARY:** This bill affects members of TRS who, upon retirement, elect survivor's benefits for his or her spouse and for one or more other persons, then subsequently divorce the spouse. Such members would be authorized to revoke the election of benefits to a spouse upon the final judgment of divorce. After revoking the election, the member would be authorized to elect one of the following options:

- The member may allocate the spouse's percentage of benefits among the beneficiaries other than the spouse. The member's retirement benefits would then be recalculated to compensate for the remaining survivor's benefit as determined by an actuary; or
- The beneficiaries, other than the spouse, will continue to be entitled to receive the same percentage of the member's retirement allowance. The member's retirement allowance would then return to the allowance which would otherwise be payable to him or her if the member had not elected such option, except there would be a reduction to compensate for the remaining survivor's benefit as determined by an actuary.

- **Authored By:** Rep. Earnest Williams of the 89th
- **Committee Action:** Do Pass by Committee Substitute

** Bills passing committees are reported to the Clerk's Office, and are then placed on the General Calendar.*



COMMITTEE BROADCAST SCHEDULE

Thursday, February 07, 2008

8:00 AM - 9:00 AM	<u>SCIENCE & TECHNOLOGY</u>	506 CLOB
8:00 AM - 9:00 AM	<u>Judiciary Non-Civil Subcommittee One (Knox)</u>	132 CAP
8:00 AM - 9:00 AM	<u>APPROPRIATIONS</u>	341 CAP
9:00 AM - 10:00 AM	<u>RULES</u>	341 CAP
1:00 PM - 2:00 PM	<u>REGULATED INDUSTRIES</u>	515 CLOB
1:00 PM - 2:00 PM	<u>HIGHER EDUCATION</u>	406 CLOB
1:30 PM - 2:00 PM	<u>Tags & Titles Subcommittee of Motor Vehicles</u>	415 CLOB
1:30 PM - 3:00 PM	<u>Appropriations Special Projects Subcommittee</u>	403 CAP
2:00 PM - 3:30 PM	<u>EDUCATION</u>	406 CLOB
2:00 PM - 3:30 PM	<u>INDUSTRIAL RELATIONS</u>	506 CLOB
2:00 PM - 3:00 PM	<u>WAYS & MEANS</u>	606 CLOB
2:00 PM - 3:00 PM	<u>MOTOR VEHICLES</u>	415 CLOB
3:00 PM - 4:00 PM	<u>PUBLIC SAFETY & HOMELAND SECURITY- CANCELLED</u>	606 CLOB
3:00 PM - 4:30 PM	<u>Ways and Means Income Tax Subcommittee</u>	133 CAP
3:00 PM - 4:00 PM	<u>Special Subcommittee on Transportation</u>	216 CAP
3:00 PM - 4:00 PM	<u>ECONOMIC DEVELOPMENT & TOURISM</u>	606 CLOB
3:30 PM - 4:30 PM	<u>BUDGET & FISCAL AFFAIRS OVERSIGHT</u>	415 CLOB
3:30 PM - 4:30 PM	<u>HEALTH & HUMAN SERVICES</u>	506 CLOB

** This schedule is accurate at the time of this report, but meeting dates and times are subject to change. To view the most up to date meeting schedule, please visit <http://www.legis.ga.gov> and click on Meeting Notices. To view the live streaming video of the meeting, please visit the Georgia Legislative Network website.*

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